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Environmental and Public
Protection Cabinet

Christopher L. Lilly
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Department of Public Protection

Patricia Conner
610 Oak Branch Road
Louisville, KY 40245



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Mark David Goss
Chairman

Teresa J. Hill
Vice Chairman

Gregory Coker
Commissioner

December 7, 2005

RE: Case No. 2005-00220

We enclose one attested copy of the Commission's Order in the above case.

Sincerely,

A handwritten signature in black ink, appearing to read "Beth O'Donnell".

Beth O'Donnell
Executive Director

BOD/jc
Enclosure

Patricia Conner
610 Oak Branch Road
Louisville, KY 40245

Honorable Cheryl R. Winn
Attorney at Law
BellSouth Telecommunications, Inc
601 W. Chestnut Street
Room 407
Louisville, KY 40203

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PATRICIA CONNER)	
)	
COMPLAINANT)	
)	
V.)	CASE NO. 2005-00220
)	
BELLSOUTH TELECOMMUNICATIONS, INC.)	
)	
DEFENDANT)	

O R D E R

On June 7, 2005, Patricia Conner ("Complainant") filed with the Commission a formal complaint against BellSouth Telecommunications, Inc. ("BellSouth") claiming that she was being charged for a debt allegedly incurred at her current residence located at 610 Oak Branch Road, Louisville, Kentucky by Annie K. Chenault-Story in the approximate amount of \$2,200.

By Order dated June 14, 2005, the Commission directed BellSouth to satisfy or answer the complaint. On June 24, 2005, the Commission received BellSouth's answer to the complaint. On June 30, 2005, BellSouth filed an amended answer to the complaint.

The Commission may, through its own experts or employees, obtain such evidence as it may consider necessary in any formal proceeding. 807 KAR 5:001, Section 4(3). On August 19, 2005, Commission Staff issued a data request to each party. BellSouth responded on August 29, 2005; however, Complainant has not yet

responded. Given the conflicting allegations, Complainant's claim cannot be accepted without verifiable proof. "Applicants before an administrative agency have the burden of proof."¹ The Commission bases its rulings on the evidence of record.

IT IS THEREFORE ORDERED that:

1. Within 20 days of the date of this Order, Complainant shall respond to Commission Staff's data request issued on August 29, 2005.
2. Within 20 days of the date of this Order, Complainant shall respond to Commission Staff's supplemental data request which is appended hereto.
3. If no response is received within 20 days of the date of this Order, the complaint shall be dismissed and this case shall be removed from the Commission's docket.

Done at Frankfort, Kentucky, this 7th day of December, 2005.

By the Commission

ATTEST:


Executive Director

¹ *Energy Regulatory Comm'n v. Kentucky Power Co.*, 605 S.W.2d 46, 50 (Ky. App. 1980).

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 2005-00220 DATED December 7, 2005.

COMMISSION STAFF'S SUPPLEMENTAL DATA REQUEST TO PATRICIA CONNER

Pursuant to 807 KAR 5:001, Commission Staff requests that Patricia Conner file the original and eight copies of the following information within 20 days of the date of this request. When a number of sheets are required for an item, each sheet should be appropriately indexed, for example, Item 1(a), Sheet 2 of 6. Include with each response the name of the witness who will be responsible for responding to questions relating to the information provided. Careful attention should be given to copied material to ensure its legibility.

1. In addition to the Durable Power of Attorney, you also submitted to the Commission a document entitled Full Power of Attorney. Explain the following:
 - a. Both documents were verified by the same Notary Public, Toni Cook. Why were the documents verified on January 4 in different years?
 - b. Why was the year changed on the Durable Power of Attorney?
 - c. Why does Ms. Cook have different notary commission expiration dates on the documents?
 - d. Why was the Full Power of Attorney not included in your initial filing with the Commission?